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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
TSEGAYE, SABA	

ART UNIT	PAPER NUMBER
2662	

DATE MAILED: 01/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/596,633	CLANCY ET AL.
	Examiner	Art Unit
	Saba Tsegaye	2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 August 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-53* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-53* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to the amendment filed 08/30/04. Claims 1-53 are pending. Currently no claims are in condition for allowance.

Claim Rejections - 35 USC § 102

2. Claims 1-3, 6-8, 10, 12, 14, 15, 17-21, 24-30, 33-37, 41, 42, 44-48 and 50-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Korpela (US 5,946,634).

Regarding claims 1, 7, 20 and 24, Korpela discloses, in Figs. 1,3, 4, 5 and 10, a configurable telecommunications system, comprising:

an interface device (10) having a plurality of telephony resources (a loudspeaker, a microphone, keypad, an LCD, I/O port, a voice call, a data session, fax, videophone) (column 3, lines 57-65) and operable to maintain a local protocol database comprising a plurality of protocol modules (151-153) to identify, for each of the telephony resources (a loudspeaker, a microphone, keypad, an LCD, I/O port, a voice call, a data session, fax, videophone), a protocol module required to process signals received by the telephony resource (column 5, lines 21-30; column 7, lines 38-45), to determine, for each of the identified protocol modules, whether the identified protocol module is valid in the local protocol database (column 6, lines 37-40) to request each of the protocol modules not determined valid (column 6, lines 37-45) from a system controller (25), to receive the requested protocol module (261-263) from the system controller

(25), and to store the requested protocol module in a protocol database(column 6, lines 37-55); and

the system controller (25) operable to maintain a system protocol database (26) storing a plurality of master protocol modules (261-263), to receive requests from the interface device (10) requesting selected ones of the master protocol modules, and to communicate the requested master protocol modules from the system protocol database (26) to interface device (10) (column 5, lines 9-47; column 6, lines 37-65).

Regarding claims 2, 8, 15, 21, 26, 34, 42 and 48, Korpela discloses the system wherein the local protocol database (EEPROM) stores integrated services digital network protocol modules (152) (column 5, lines 9-13).

Regarding claim 3, 17, 35, 44 and 50, Korpela discloses the system, wherein the local protocol database (EEPROM) stores a protocol module for each of the telephony recourses (column 3, lines 63-65; column 5, lines 9-30).

Regarding claim 6, 10, 18, 27 and 45, Korpela discloses the system, wherein interface device is further operable to process signals received using a core signal handler in combination with a selected protocol module from the local protocol database (column 5, lines 9-30).

Regarding claim 12, Korpela discloses, in fig. 12, the system, wherein the controller is further operable to remove an unused protocol module from the protocol database, wherein the

unused protocol module is not required by any of the resources (column 6, line 66-column 7, line 14).

Regarding claims 14, 41 and 47, Korpela discloses, in Fig 10, a method for configuring a telecommunications device comprising:

maintaining a local protocol database (EEPROM) comprising a plurality of protocol modules (151-153) (column 5, lines 9-13);

identifying, for each of a plurality of telephony resources, a protocol module required to process signals received by the telephony resource (column 5, lines 13-30, column 7, lines 38-45);

determining for each of the identified protocol modules, whether the identified protocol module is valid in the local protocol database (column 6, lines 37-40);

requesting each of the protocol modules not determined valid from a remote protocol database (column 6, lines 37-45);

receiving the requested protocol modules (column 6, lines 37-55); and

storing the requested protocol modules into eh local protocol database (column 6, lines 37-55).

Regarding claims 19, 46 and 51, Korpela discloses the system, wherein the remote protocol database stores a plurality of master protocol modules that may be requested by the telecommunications device (column 4, lines 57-67).

Regarding claims 25, 28, 30, 33 and 36, Korpela discloses, in Figs. 2, 4, 5 and 10, a method for processing a telephony signal, comprising:

maintaining a local protocol database (EEPROM) comprising a plurality of protocol modules (151-153);

identifying, for each of a plurality of telephony resources (a voice call, a data session, microphone, speaker), a protocol module required to process signals received by the resource (column 6, lines 29-36);

determining, for each of the identified protocol modules, whether the identified protocol module is valid in the local protocol database (column 6, lines 37-40);

requesting each of the protocol modules not determined valid from a remote protocol database (column 6, lines 41-45);

receiving the requested protocol modules from the remote protocol database (column 6, lines 41-45);

storing the requested protocol modules in the local protocol database (column 6, lines 41-51);

receiving the signal from one of the telephony resources (column 3, line 66-column 4, line 8);

determining a signal type for the signal using a core signal handler (DSP 13) column 3, line 66-column 4, line 13);

accessing resource information associated with the resource to determine a current state of the telephony resource (column 7, lines 35-68);

selecting one of the protocol modules for processing the signal (column 7, lines 35-68); and

processing the signal using the selected protocol module based on the signal type and the current state (column 7, lines 35-68).

Regarding claims 29 and 37, Korpela discloses the software, wherein the signal type indicates a selected one of alerting, call proceeding, connect, setup, suspend, resume, reject, release and status (column 4, line 66-column 4, line 7; column 5, lines 21-37).

Regarding claims 52 and 53, Korpela discloses the system wherein the interface device is further operable to accept a new telephony resource, to detect a presence of the new telephony resource, to request a protocol module associated with the new telephony resource from the system controller in response to detecting the presence of the new telephony resource form the system controller, and to store the requested protocol module associated with the new telephony resource in the local protocol database (column 7, lines 35-45; column 6, lines 41-45; claims 6, 8).

Claim Rejections - 35 USC § 103

3. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela. Korpela discloses all the claim limitations as stated above. Further, Korpela discloses, in Fig. 12, that the mobile terminal registers on the network corresponding to the newly downloaded

protocol file, the session proceeds using the newly downloads protocols until the registration is terminated or each session has been terminated or the mobile has moved out range. Further, Korpela describes that the mobile terminal is arranged to be reprogrammable to use new communications protocols corresponding to new or **amended** backbone network communications protocols (column 2, lines 46-49).

However, Korpela does not expressly disclose receiving an updated version of protocol module during a communication session.

It would have been obvious to one ordinary skill in the art at the time the invention was made to add a method that update and store the specific protocol in the protocol database during communication session in the system of Korpela. Doing so would provide seamless telephone service that support multiple or different protocol.

4. Claims 4, 5, 9, 11, 16, 22, 23, 31, 32, 38-40, 43 and 49, rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of Kim (US 6,426,963).

Korpela discloses all the claim limitations as stated above. Further, Korpela discloses that the terminal control device determines the type of session and selects the best **available** (determine a current state of the telephony resource) protocol to use. However, Korpela does not expressly disclose a state table to determine an action based on the signal type and resource states.

Kim teaches a technique for configuring a network interface circuit capable of being commonly used in all countries or networks, which have different IDSN protocols. Further, Kim teaches that an execution function table (information for the countries and kinds of networks to

be operated that is the kind of ISDN installed and connected currently) is comprised of the start address list of the function program currently operated by the function program belonging to the all function list table.

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to add a state table indicating responses to signals based on a signal type and a current state of the resource, such as that suggested by Kim, in the system of Korpela in order to provide a reliable communication system and provide a system that monitors the state and usage of protocols.

Response to Arguments

5. Applicant's arguments filed 08/30/04 have been fully considered but they are not persuasive. Applicant argues (Remarks, page 17) that Korpela fails to describe "an interface device having a plurality of telephony resources". Furthermore, Korpela fails to describe an interface device that is operable "to identify, for each of the telephony resources, a protocol module required to process signals received by the telephony resource." Examiner respectfully disagrees with Applicant contention. Korpela clearly discloses an interface device (10), a plurality of telephony resources (a loudspeaker, a microphone, keypad, an LCD, I/O port, a voice call, a data session, fax, videophone). When a user wishes to initiate a session, either a voice call or a data session using a computer, fax or videophone connected to the I/O port, the terminal control device 15 determines the type of session and selects the best available protocol to use (column 7, lines 35-51).

Applicant argues (remarks, page 18) that Korpela fails to describe interface device that operable "to determine, for each of the identified protocol modules, whether the identified protocol module is valid in the local protocol database." Examiner respectfully disagrees with Applicant assertion. In Fig. 10, Korpela discloses a flow diagram that shows the process performed by the interface device: for each of the signals received by the telephony resources, to determine, for each of the identified protocol modules, whether the identified protocol module is valid in the local protocol database (151, 152; step 1214); request each of the protocol modules which are not valid; and download protocols from store 26 (steps 1216-1222).

On page 19, Applicant argues that Korpela fails to teach or suggest a controller operable to "receive an updated version of the specific protocol module during the communication session." Examiner respectfully disagrees with Applicant contention. Fig. 12 illustrated a flow diagram showing the steps performed by the mobile terminal in erasing a downloaded protocol. Furthermore, Korpela describes that the mobile terminal is arranged to be reprogrammable to use new communications protocols corresponding to new or **amended** backbone network communications protocols (column 2, lines 46-49).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (571) 272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ST
December 28, 2004

JOHN PEZZLO
PRIMARY EXAMINER